



DEPARTMENT OF THE NAVY
BOARD FOR CORRECTION OF NAVAL RECORDS
2 NAVY ANNEX
WASHINGTON DC 20370-5100

LCC:ddj
Docket No: 6086-99
19 January 2000

[REDACTED]

[REDACTED]

This is in reference to your application for correction of your naval record pursuant to the provisions of title 10 of the United States Code, section 1552.

A three-member panel of the Board for Correction of Naval Records, sitting in executive session, considered your application on 19 January 2000. Your allegations of error and injustice were reviewed in accordance with administrative regulations and procedures applicable to the proceedings of this Board. Documentary material considered by the Board consisted of your application, together with all material submitted in support thereof, your naval record and applicable statutes, regulations and policies. In addition, the Board considered the advisory opinion furnished by CMC memorandum 1400/3 MMPR-2 of 22 November 1999, a copy of which is attached.

After careful and conscientious consideration of the entire record, the Board found that the evidence submitted was insufficient to establish the existence of probable material error or injustice. In this connection, the Board substantially concurred with the comments contained in the advisory opinion. Accordingly, your application has been denied. The names and votes of the members of the panel will be furnished upon request.

It is regretted that the circumstances of your case are such that favorable action cannot be taken. You are entitled to have the Board reconsider its decision upon submission of new and material evidence or other matter not previously considered by the Board. In this regard, it is important to keep in mind that a presumption of regularity attaches to all official records. Consequently, when applying for a correction of an official naval record, the burden is on the applicant to demonstrate the existence of probable material error or injustice.

Sincerely,

W. DEAN PFEIFFER
Executive Director

Enclosure



DEPARTMENT OF THE NAVY
HEADQUARTERS UNITED STATES MARINE CORPS
MANPOWER AND RESERVE AFFAIRS DEPARTMENT
HARRY LEE HALL, 17 LEJEUNE ROAD
QUANTICO, VIRGINIA 22134-5104

IN REPLY REFER TO:
1400/3
MMPR-2
22 Nov 99

MEMORANDUM FOR THE EXECUTIVE DIRECTOR, BOARD FOR CORRECTION OF
NAVAL RECORDS

Subj: ADVISORY OPINION IN CASE OF [REDACTED]

Ref: DD Form 149 of 24 Aug 99

Encl: (1) MMPR-2 ltr 1400 of 22 Jul 98 to Mr. Stroner
(2) Battalion Promotion Order Number 65 dtd 30 Jan 46

1. The reference is [REDACTED] request to have his military service record corrected to show that he was promoted to "Acting Corporal" with a date of rank of 6 May 1944. He states that upon graduation from Marine Corps Cooks and Bakers School he promised promotion to corporal; however, he remained at the rank of private first class.
2. Enclosure (1) is a copy of the official correspondence that was sent to [REDACTED] to inform him that he was promoted to the rank of "Line Corporal (Temporary)" prior to his discharge from the Marine Corps. Enclosure (2) is the Official Battalion Promotion Order that promoted Mr. Stroner to Line Corporal (Temporary) with a date of rank as 1 February 1946.
3. There is no official documentation that indicates that he was promoted or referred as "Acting Corporal" on 6 May 1944 or thereafter. Recommend his petition be denied.
4. Point of contact is Mr. R. B. Fitzwater at 784-9710.

Richard B. Fitzwater

RICHARD B. FITZWATER
Assistant Head, Enlisted Promotions
Promotion Branch
By direction of the
Commandant of the Marine Corps